

FROM THURSDAY'S DAILY, MARCH 8, 1888.

Carney Sentenced.

George H. Carney, the broker, who was convicted of forgery on Tuesday, came before Judge Zane this morning for sentence. He was given one year in the penitentiary.

Two Bills Vetted.

At 3:10 this afternoon a message was read in the House, from the Governor, announcing his disapproval of the bills establishing a reform school and an agricultural college. The reason of these two vetoes is that the bills provide that the officers of the institutions provided for by them are made elective by the Assembly instead of appointive by the Governor, who claims the power to appoint all such functionaries under section seven of the Organic Act.

The message deprecated is a continuance, on the part of the Assembly, of an assumption of power which it holds to be in violation of the law of Congress creating the Territory.

Probate Court.

Proceedings in the Salt Lake County Probate Court yesterday:

In the matter of the estate of Mary Ann Hooper, deceased; proof of publication of time and place of hearing, and order of sale of mining property made.

Estate of Eliza Baddeley, deceased; bond of Wm. Fuller, executor, filed and approved.

Estate of Silas F. James, deceased; order made appointing J. D. H. McAllister, Jos. Booth and Wm. Calton appraisers of said estate.

Estate of A. Livingston, deceased; order made appointing time and place to hear petition for sale of real estate.

Estate of John Livesey, deceased; order made appointing time and place for hearing petition of Ellen Livesey, asking for letters of administration.

City Elections.

In the municipal election at Logan on Monday, the People's Ticket was elected as follows:

Mayor—Aaron F. Farr; Aldermen—A. G. Barber, Thos. Irvine, James Quayle, Edward Hanson, Anton Anderson; Councilors—Ben. F. Riter, W. W. Maughan, A. S. Izatt, H. C. Peterson, John Beach; Recorder—Joseph E. Wilson; Treasurer—S. L. Ballif; Marshal—N. W. Crookston; Assessor and Collector—C. Larson.

At Wellsville, Cache County, the People's candidates were elected as follows:

Mayor—Joseph Howell; Councilors—David Murray, Samuel Perkins, Thomas A. Kerr, W. F. Darley, S. P. Hall; Recorder—W. H. Maughan, Jr.; Treasurer—John H. Maughan; Assessor and Collector—John S. Leatham; Marshal—John A. Leatham; Justices of the Peace—P. M. Maughan, J. B. Coburn.

First District Court.

Provo, March 6.

The jury returned a verdict of not guilty last night in the case of the People vs. Soren Christensen.

Joseph Justesen and Charles Allred, Nephi bank robbers, were arraigned and took the statutory time to plead.

George Taylor was arraigned under indictment for unlawful cohabitation and entered a plea of not guilty.

This morning Samuel Allred received a sentence of six months' imprisonment and costs of prosecution, under his plea of guilty to the charge of unlawful cohabitation.

Wilson M. Allred received sentence of six months' imprisonment and a fine of \$100 and costs of prosecution, for living with more than one wife.

Bent Larsen entered a plea of not guilty to the charge of unlawful cohabitation.

Calvin Allred, David Rostrin and Pratt Allred were arraigned on a charge of grand larceny, and took the statutory time to plead.

The case of the United States vs. Jesse Gardner, unlawful cohabitation, was tried today. The jury could not agree and were discharged.

The case of the United States vs. Charles Richens; unlawful cohabitation; the witness Agnes M. Richens could not be found, and her bonds of \$300 were declared forfeited. Thomas Cobby and Charles Richens were sureties.

U. S. vs. Ledru Loveridge; unlawful cohabitation; defendant withdrew his former plea and entered one of guilty. Time for sentence to be arranged for hereafter with District Attorney Peters.

U. S. vs. Joseph S. Jones; unlawful cohabitation; defendant withdrew his former plea and entered one of guilty. Time for sentence to be fixed Saturday.

U. S. vs. Jacob Walser; unlawful cohabitation; defendant withdrew his former plea and entered one of guilty. Time for sentence set for Saturday, with the privilege of changing it to another date.

In the case of The People vs. Justesen and Allred; the attempted bank robbery, the district attorney asked that the indictment be dismissed and the case resubmitted to the grand jury; granted.

The case of the U. S. vs. Marantha Loveridge was passed for the present.

U. S. vs. Thomas Gunderson; trial in progress at 3 p.m.; court took recess till then.

Gets Three Years.

Charles Wilson, who, with a woman known as "Dutch Mollie," robbed a Chinaman a few months ago at the end of East Temple Street, was tried for the offense in the Third District Court yesterday afternoon, and found guilty. He waived time for sentence, and Judge Zane gave him three years in the penitentiary.

First District Court.

Provo, March 7th.

U. J. vs. E. L. Gee; defendant was ordered to be brought from the penitentiary for trial.

In the case of the People vs. Calvert, Allred et al., defendants Pratt, Allred, Calvert and Rostrum pleaded not guilty.

The People vs. Alma Young; burglary; defendant was arraigned and took the statutory time to plead.

The People v. Worthy Nash; grand larceny; an order was entered dismissing the case.

U. S. John Williams; unlawful cohabitation; judgment and fine of \$100.

The People vs. Moroni Moore, et al., grand larceny; defendants pleaded not guilty.

U. S. vs. James Higgins; unlawful cohabitation; defendant pleaded not guilty.

The People vs. Charles Allred and James Justesen; defendants were arraigned and took the statutory time to plead to the charge of assault with intent to commit robbery.

U. S. vs. George Storrs; unlawful cohabitation; defendant entered a plea of guilty and sentence was set for March 10th.

The People vs. James Gunderson, grand larceny, is on trial.

C. P. Accident.

Mr. James T. Watson, formerly of this city, arrived today from Arizona via the Central Pacific Railway, and gives an account of an accident on that road, which occurred last night. As the east-bound train was about eight miles from Toano, the passengers in the last cars were awakened from their slumbers by a crash, and a terrible jolting and rocking of the cars. The third car from the last was thrown from the track by a broken rail. The wheels at the latter end of the car came off, the car dropped down on the rails, and broke the coupling between it and the next car. The train was running at a high rate of speed, and the two back cars came to a standstill after running for a short distance on the ties, and shaking the passengers terribly. But the third was not so fortunate. The car was thrown on an angle of about 45 degrees, the back end sliding along on the side of a steep grading. Fortunately the coupling pin did not brake and the train was stopped after going about three hundred yards. Had the car broken loose the result would have been very disastrous, as two of the cars were crowded with emigrants and the third well filled. The train reached a standstill a few yards from a high and dangerous embankment. The accident occurred in a rock cut.

Deputy Registrars.

The following deputy registrars for Salt Lake County have been appointed by the Utah Commission:

M. D. Coah, Granger Precinct.
Israel Spitz, Brighton Precinct.
Bergen DeMott, North Point Precinct.

George Canning, Hunter Precinct.
Frank Chambers, Pleasant Green Precinct.

Charles C. Crapo, Draper Precinct.
S. F. Wells, Sandy Precinct.

John L. Thomas, Sugar House Precinct.

James T. Monk, Silver Precinct.
B. Y. Golding, Granite Precinct.

Vincent Shurtliff, Butler Precinct.
Fritz Rellich, South Cottonwood Precinct.

James Spillett, Big Cottonwood Precinct.

Henry W. Winchester, South Precinct.

Charles B. Baker, Union Precinct.
William Rauch, Mountain Dell Precinct.

James Young, East Mill Creek Precinct.

H. T. Shurtliff, Mill Creek Precinct.
Amos S. Gabbott, Farmers Ward Precinct.

Theodore Baker, Fifth Salt Lake City Precinct.

John Dull, Fourth Salt Lake City Precinct.

George B. Kelly, Third Salt Lake City Precinct.

A. L. Williams, Second Salt Lake City Precinct.

Joseph H. Hurd, First Salt Lake City Precinct.

John G. Ruff, North Jordan Precinct.
Charles H. Johnson, South Jordan Precinct.

Christen Lovendahl, Riverton Precinct.

Harry F. Brown, Bluffdale Precinct.
Michael Gibbons, Bingham Precinct.

Robert Dansie, Fort Herriman Precinct.

Sent to Jail.

It will be remembered by the readers of the Journal that during the very severe weather we had in January, a girl named Sally Hodgson was, through the ill-treatment of her parents, so badly frozen, that amputation of portions of her feet and hands became necessary. This case has been commented upon more or less from the time of its occurrence until the present, and without an exception the course of this unfortunate girl's parents has been emphatically condemned. The girl presents a sorrowful appearance, not being able to use either hands or feet. She is now where she is receiving the best of treatment, and does not desire to return to her home. Thinking that justice should be meted out to those who could be so cruel as to treat a child in the manner this one was treated, a complaint was sworn out against Jas. and Mary Hodgson, charging them with wilful neglect of their daughter Sally, in not providing necessary clothing or shelter for her on the night that she was frozen. The investigation took place yesterday before Commissioner Goodwin. - Bishop Lewis, Mrs. Peterson, the lady with whom Sally is now stopping, N. P. Nielsen and a Mr. Marshall, gave testimony in behalf of the prosecution. Mary Hodgson, the girl's stepmother, testified to the effect that she had not mistreated Sally; but the testimony of the prosecution was conclusive to the contrary. Sally testified in her behalf. She stated that she slept in the loft on the night referred to, and that she had but one good quilt and one poor one with which to cover her; that she slept with her shoes and clothing on for the purpose of keeping as warm as possible; that the old folks would not allow her to sleep in any other part of the house; that she did not wish to go home again because of the ill-treatment received there. No attorney was hired for the defense, but Mr. A. B. Taylor, who was present, through charity for the old people, made a plea in their behalf, after which the Commissioner summed up the evidence in the case, and sentenced them to two months each in the county jail. This is a light punishment for so grave an offence, but taking into consideration their age, the commissioner thought this would answer the ends of justice.—Logan Journal, March 7.

THE LEGISLATURE.**COUNCIL.**

March 6, 1888. 3 p.m.

A message was received from the Governor notifying the Council of his approval of C. F. 38, defining county boundary lines.

The House notified the Council of its concurrence in amendments to C. F. 11 (substitute), defining the limits of the first and fourth judicial districts.

The Council was notified of the passage by the House of H. F. 81 (agricultural college in Cache County). Read by title and filed for second reading. In due course taken up and read the second time by sections. On motion of Carlisle, under suspension of the rules, was read the third time, and on motion of Smoot, passed and was ordered enrolled.

Woolley, from the committee on appropriations, reported on H. F. 73 (general appropriation bill), recommending that certain appropriations for salaries in the bill (contained already in H. F. 32, which has passed the Council) be stricken out, and that the bill be put upon its passage. The report of the committee was adopted, and the bill so passed its second reading.

On motion of Woolley the bill was taken up on its third reading and passed the House under suspension of the rules.

The Council was notified that the House had concurred in the amendments to H. F. 76 (incorporating cities).

The Council was notified that the House had passed H. F. 2 (insolvency), with amendment.

The Council concurred in the amendment and the bill passed.

H. F. 30 (local option), was then called for third reading.

Marshall moved to strike out the enacting clause.

Smoot hoped the motion would not prevail. He thought the people wanted it and should have it, not that he had faith in its effectiveness. His experience in Provo was against it, and he deemed it impracticable, personally favored high license. Yet the people wanted it and should therefore have it.

Marshall considered it a mongrel bill. His ward might vote against it and the adjoining one favor it, what could the city do about it.

Woolley was opposed to the motion to kill the bill. He thought there should be restrictions placed upon the liquor traffic, and favored the right of people to exclude saloons from their immediate neighborhoods, and local option would be a benefit in outlying districts and towns.

Young wanted it killed. It gave nothing new. The city councils now have the power to suppress saloons if they choose. If they do not the people wanting them suppressed should elect men who will do this.

Howe opposed the bill for the reason that he believed it would not improve the present situation. There had been a fight here for years and we had just got things in shape to control this matter in a great measure, and if this bill passed the fight would have to be fought all over again. He deemed it impracticable.

Carlisle opposed killing the bill. He deprecated the presence of so many open saloons, enticing the young to evil and fostering intemperance in the community. Prohibition had been tried in Logan and would have succeeded but for a defect in the City charter. During the time that the saloons were closed then he was convinced that less liquor was drunk in

that city, and even if some did indulge quietly it was better so than to have the liquor saloons wide open as a temptation to the youth. He favored a trial of the bill.

Bryan said if he could prohibit liquor selling in the nation, the territory, or even a single county, he would do so, but he would not vote for a law providing for these petty restrictions in small isolated districts.

Woolley considered the argument of the last speaker inconsistent. If it was a good thing to prohibit in a territory, why not in a village or precinct? He favored the bill because it enabled citizens to say whether they would have saloons next door to their families or not. If the bill did not work well it could be repealed.

The bill was finally killed by a vote of 6 to 5—Carlisle, Smoot, Tuttle, Wimmer and Woolley for the passage of the bill, and Shurtliff, Young, Bryan, Howe, Murdoch and Olsen opposing it. H. F. 8 (regulating marriage), was then called up and, pending consideration, was ordered printed.

H. F. 72 (crimes against the public health), was called for second reading, read the third time under suspension of the rules and passed.

At 5:15 the Council adjourned to meet at 10 a. m. tomorrow.

March 7th, 1888.

The Council convened at 10 a. m.

H. F. 83 (substitute), providing for a revision of the record of marks and brands, was read the first and second times and filed for third reading.

Bryan presented a petition from the county court of Juab County, praying for an appropriation of \$4000 for a dugway and bridge in the southern part of the county. Referred to the committee on highways.

H. F. 65, the loan bill, was called up for second reading, read, amended and filed for third reading.

Smoot moved that the rules be suspended for any business that might come up. Carried.

Marshall reported that the law passed in 1882 authorized the issuance of certificates to jurors, etc., in civil and criminal cases but that the Legislature had ruled that only certificates in criminal cases should be paid. He thought the appropriation was not exhausted and that all should be paid. Referred to the committee on claims and public accounts.

The Council was notified that the House concurred in the Council's amendments to H. F. 81 (agricultural college.)

Bryan, from the committee on public health, reported C. F. 29 (to suppress animal diseases), amended, recommending that it be put upon its passage. The report was adopted and the bill filed for second reading.

At 11 o'clock recess was taken till 12 m.

Mr. Young's substitute for H. F. 40 and 49 (substitute), on fish and game, was returned from the House with amendments. These were concurred in and the bill returned.

H. F. 77, establishing a deaf mute institution, was passed under suspension of the rules. This is the bill re-modeled at the Governor's request.

Mr. Marshall, from the committee on private corporations, reported a substitute for H. F. 26, on the laws relating to private corporations, which was adopted, and the bill sent to the House. The substitute makes railroads liable for full value of stock killed.

Mr. Tuttle, of the committee on agriculture, reported favorably on H. F. 68, with slight amendments, which were adopted.

Mr. Olsen, for the committee on enrollment, reported the enrolling of C. F. 21, on banking, and C. F. 27, on licensing intoxicating liquors.

Mr. Olsen, for the committee on claims and public accounts, reported favorably on the Territorial auditor's recommendation to pay the jurors' certificates for 1882 and 1883; recommended that the claim of W. F. Cahoon be rejected. Adopted.

Recess until 2 p. m.

2 p. m.

The Governor notified the Council of his approval of C. F. 37, licensing and regulating the manufacture and sale of intoxicating liquors, also of his disapproval of C. F. 21, as the House has amended it to make Jas. T. Little bank examiner of the Territory instead of the Secretary of the Territory.

The Council amended C. F. 21 by removing the House amendment and sent the bill to the House.

A communication from the House announced its passage of H. F. No. 89, providing for the payment of jurors, witnesses, phonographic reporters, and creating and defining the duties of court commissioners. Filed for second reading.

H. F. No. 6, an act regulating marriage, was passed under a suspension of the rules.

H. F. No. 83, on revision of the record of marks and brands, passed under a suspension of the rules.

Olsen, from the committee on enrollment, reported enrolling the bill on insane asylum, and its being sent to the Governor.

Substitute for H. F. 45 and C. F. 9 and C. F. 30, defining the duties of County recorders, was filed for second reading.

C. F. 29, to prevent infectious diseases among animals was rejected on Mr. Marshall's motion.

HOUSE.

March 6, 1888. 2 p. m.

The tedious reading of the insolvency bill was cut short by a motion to put it upon its passage, which

prevailed. It passed by a vote of 14 to 2.

Allen, from the conference committee, reported that the Council would recede from its amendments to the bill providing for corporations to prevent cruelty to animals.

Spencer, from the fish and game committee, reported a bill to introduce food fishes into the waters of the Territory. It appropriates \$5000 to the purpose, to be drawn by A. M. Musser, who is to distribute the fish. Ordered printed.

The report of the committee on insane asylum came up under special orders. It states that the amount needed to pay existing indebtedness, purchase additional land needed, and finish the building is \$202,735 81, and recommends that the matter of making an appropriation be considered by the House.

King moved to instruct the appropriation committee to insert in the appropriation bill the sum of \$164,481.20, and made a speech in support of his motion.

The Speaker stated that the Assembly had already appropriated more than it had a right to borrow, including the current revenue.

Clark moved that the report be made the special order for tomorrow, that it might be ascertained how the Territory stood financially.

Thurman favored immediate action, and made a speech in line with King's and in advocacy of a liberal appropriation for the asylum.

Hoge opposed postponement. Moyle was in favor of a generous appropriation to the asylum, but would like to have definite information as to the resources of the Territory before voting. He urged that the question go over till tomorrow.

Allen was surprised that members were not prepared to vote on the question. They had known ever since the session opened that the asylum had asked for an appropriation, and that the Assembly must pass upon the question.

The motion to postpone was carried.

The Council struck out several items from the appropriation bill, and the House concurred.

The bill to revise the brand sheets was read by sections and passed by a vote of 13 to 4.

Seegmiller, from the live stock committee, reported adversely on the bill to prevent the spread of disease among sheep. Adopted.

The Council bill amending the liquor law was read and passed.

Seegmiller, from the live stock committee, reported adversely on a bill to prevent the spread of disease among cattle, for the reason that a better one was pending in the Council. Adopted.

H. F. 82, defining the duties of county recorders, was read in full and filed for third reading.

The report of the conference committee on amendments to the asylum bill was considered and adopted.

H. F. 80, providing for the payment of jurors, witnesses and for court commissioners, was considered and amended.

At 6:10 the House adjourned till 10 o'clock March 7.

March 7, 1888.

Opening exercises.

The fish and game committee reported favorably on the Council bill relating to fish and game. It makes the penalty for using giant powder more severe, and protects quail for four years.

The vote on striking out the provision allowing campers in the mountains to kill male deer during certain months, was a tie, and the speaker voted in favor of striking out this premium on junketing.

The bill prohibits hunters from outside of this Territory from killing game and shipping it away. Hoge said the reason therefore was that Colorado hunters were killing deer in Utah. The bill provides for a fish and game commissioner in each county, appointive by the county court.

Seegmiller asked if it was humane and just to make the law apply to Indians. Allen thought it was.

The bill passed by a vote of 19 to 1.

Moyle, from the committee on education, reported a bill conforming to the Governor's suggestions respecting a deaf mute institute. The buildings must be erected upon the University grounds, and \$50,000 or so much thereof as may be necessary, is appropriated therefor, or an annual appropriation of \$6000 for the maintenance of the institute, is made.

The vote on making the bill special order for tomorrow was a tie, and the speaker voted against postponement, and consideration of it was continued.

Several amendments to reduce the amount of the appropriation were put. Moyle and Hoge were the only two who favored \$50,000.

Hatch moved to make the amount \$20,000. Carried.

Farnsworth said enough to erect suitable buildings should be appropriated, otherwise not more than \$15,000 was needed, and moved to reconsider.

King said the latter sum was enough, and thought possibly the Governor might be induced to reconsider his action against the purchase of the Hooper residence for \$15,000.

The motion to reconsider was carried, and the question of the amount was again before the House. Farnsworth and King favored \$15,000. Various amounts were voted upon, but the House again fixed upon \$20,000.

Hatch moved to make the annual appropriation for maintenance \$5,000 instead of \$20,000. Carried. Hatch was the original mover of \$20,000 for building.